

Paper No. 484
Disposes of
Paper No. 467.

Case No. 1

THE UNITED STATES OF AMERICA; et al) ORDER,
- vs -) GRANTING APPLICATION OF
ARAKI, Sadao; et al) THE ACCUSED KIMURA,
) HEITARO, FOR THE
) PRODUCTION OF CAPTAIN
) TAZUMI, ET AL, AS
) WITNESSES ON HIS BEHALF,
) AND CERTAIN UNRECORDED
) DOCUMENTS

This matter coming on to be heard before
The Honorable Sir William Webb, President of the Tribunal,
upon the application of the accused KIMURA, Heitaro, by his
Counsel of record, in accordance with, and by virtue of,
Article 9(e) of the Charter, for an order of the Tribunal
for the production of the following named witnesses and
enumerated documents, for and on behalf of the said accused
KIMURA, Heitaro, and necessary to his defense:

1. Captain TAZUMI, whose given or other names are unknown;
2. Major IKEJIRI, Bin;
3. Major General ICHIDA, Jiro;
4. Major General TANAKA, Ryukichi;

5. The order of the Vice Minister of War, being Army Secret No. 2190 dated 28 July 1942;
6. The order of the Vice Chief of the General Staff, being General Staff Secret Order No. 383-1;

7. The Manual of Military Law, published by His Majesty's Stationery Office, London, England; and the Tribunal hearing the arguments of Counsel and being fully advised in the premises, it is

ORDERED: That said application be and is hereby granted, as prayed; both as to witnesses and documents; and that a summons be issued forthwith, by the Secretary of the Tribunal, commanding respectively the said Captain TAZUMI and Major IKEJIRI, Bin and Major General ICHIDA, Jiro and Major General TANAKA, Ryukichi to attend and testify before the Tribunal as a witness for the defendant KIMURA, Heitaro; and

That the proper officer of the International Prosecution Section forthwith produce, and lodge with the Clerk of the Tribunal, the said documents enumerated in said application, to-wit:

5. Vice Minister of War's Order concerning the treatment of enemy air crew members who made air raids upon Japan, being Army Secret No. 2190 of 28 July 1942;

6. Vice Chief of the General Staff's Order concerning the treatment of enemy air crew members who made air raids upon Japan, being General Staff Secret Order No. 383-1;

7. Manual of Military Law, published by His Majesty's Stationery Office, London, England; for the use and benefit of the accused KIMURA, Heitaro and of the Defense Section.

Dated at Tokyo, Japan, this 18 October 1946.

BY THE TRIBUNAL:

/s/ W.F. Webb
PRESIDENT